

S.B.CR. MISC. BAIL APPLICATION NO.4914/2007

(Pawan Kumar Vs. State of Rajasthan)

Date of Order :: October 22, 2007

HON'BLE MR. H.R.PANWAR,J.

Mr.R.K.Charan, for the petitioner.
Mr. Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioner that the petitioner purchased the bus in question from its true owner Ram Avtar and later on Ram Avatar went to Italy. The allegation as per the prosecution case is that while Ram Avtar was in Italy, the said bus met with an accident and the petitioner got a forged power of attorney forging the signature of Ram Avtar. The signatures of Ram Avatar on agreement to sale, in favour of the petitioner, are in English as has been shown by the petitioner, whereas on alleged power of attorney, the signatures of Ram Avtar are in Hindi and not similar to those, which are on agreement to sale. Thus, prima facie there is an evidence of forging of power of attorney. In the circumstances, therefore, in

my view, it is not a case to grant anticipatory bail to the petitioner, on the contrary, in such matters, a custodial interrogation is necessary.

The bail application filed by the petitioner under section 438 Cr.P.C. is, therefore, dismissed.

[H.R.PANWAR],J.

m.asif/-